

### REMARKS

This responds to the Office Action mailed on April 6, 2006.

Claims 3-5, 9-10 and 18-20 are amended, claims 2, 11-17 and 21-25 are canceled, and claims 26-28 are added; as a result, claims 3-10, 18-20 and 26-28 are now pending in this application.

Claims 2, 11-17 and 21-25 have not been canceled to overcome any of the cited references but to expedite allowance of this application. Applicants reserve the right to pursue the subject matter of these claims in one or more continuing applications.

No new matter has been added. New claims 26 and 27 include some of the features originally recited in the original claims 1 and 2 (claims 1 and 2 were canceled). Support for claim 28 can be found in the specification, e.g., on page 8, disclosing an “audio example.”

#### §101 Rejection of the Claims

Claims 2-13, 15-17 and 23 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claims 2, 11-13, 15-17 and 23 have been canceled. Claims 3-10 were amended to depend on the allowed claim 18. Thus, claims 3-10, as amended, are directed at a statutory subject matter by virtue of being dependent on claim 18, which is allowed. It is respectfully requested that the rejection be withdrawn and claims 3-10 be allowed.

#### §112 Rejection of the Claims

Claim 13 was rejected under 35 U.S.C. § 112. Claim 13 was canceled.

Claim 22 was rejected under 35 U.S.C. § 112. Claim 13 was canceled.

#### §103 Rejection of the Claims

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Vynne in view of Schneider (published by IEEE). Claim 12 was canceled.

Claims 2 and 9-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vynne in view of Schneider (published by IEEE) and further in view of Thomas (U.S. 5,229,768).

Claims 3-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vynne in view of Schneider and Thomas and further in view of ISO/IEC specification.

Claim 2 was canceled. Claims 11-13 were canceled. Claims 3-10 were amended to depend on the allowed claim 18. It is respectfully requested that the rejection be withdrawn and claims 3-10 be allowed.

Claims 3-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vynne in view of Schneider and Thomas and further in view of ISO/IEC specification. Claims 3-8 were amended to depend on the allowed claim 18. It is respectfully requested that the rejection be withdrawn and claims 3-10 be allowed.

Claims 14-17, 21 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the article by Schneider in view of Boles (U.S. 5,019,899) and further in view Thomas. Claims 14-17, 21 and 23 were canceled.

Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider in view of Boles and Thomas and further in view of Echstaedt et al. (U.S. 6,654,735 B1). Claim 22 was canceled.

*Allowable Subject Matter*

The Applicants thank the Examiner for allowing claims 18-20.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney 408-278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JAAP ANDRE HAITSMAN ET AL.

By their Representatives,

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Date \_\_\_\_\_

By /

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6<sup>th</sup> day of July 2006.

Dawn R. Shaw

Name

Signature

*Dawn R. Shaw*